

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

ROBINA JENKINS,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 2:05cv1049-C
)	
NANCY WORLEY, individually and)	
in her official capacity as Secretary of)	
State, State of Alabama; JOE DICKSON,)	
individually and in his official capacity)	
as a member of the State Personnel Board;)	
HENRY MCMILLAN, individually and)	
in his official capacity as a member of the)	
State Personnel Board; JOHN)	
MCMILLAN, individually and in his)	
official capacity as a member of the)	
State Personnel Board; HORACE W.)	
POWELL, SR., individually and in his)	
official capacity as a member of the)	
State Personnel Board; and JOYCE P.)	
O'NEAL, individually and in her)	
official capacity as a member of the)	
State Personnel Board.)	
)	
Defendants.)	

SHOW CAUSE ORDER

Upon consideration of the plaintiff's motion to remand (doc. # 4), it is

ORDERED that on or before **November 30, 2005**, the opposing parties shall show cause why the motion should not be granted.

Without the consent of the parties, the Magistrate Judge cannot take dispositive action in this case. *See* 28 U.S.C. § 636(c). As explained in the attached Explanation of

Assignment to United States Magistrate Judge, the parties have the right to consent to or to decline consent to a Magistrate Judge's jurisdiction without adverse consequences. Accordingly, counsel for the parties are

DIRECTED to complete and send to the Clerk of the Court either the attached form consenting to Magistrate Judge jurisdiction or the form requesting reassignment to a District Judge so that the form is received by the Clerk on or before **November 30, 2005. DO NOT FILE THIS FORM ELECTRONICALLY.**

Done this 15th day of November, 2005.

/s/Charles S. Coody
CHARLES S. COODY
CHIEF UNITED STATES MAGISTRATE JUDGE

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State Personnel Board.)	
)	
Defendants.)	

CONSENT TO JURISDICTION BY A UNITED STATES MAGISTRATE JUDGE

In accordance with the provisions of Title 28, U.S.C. § 636(c), the undersigned party or parties to the above-captioned civil matter who previously have indicated their consent to the jurisdiction of a Magistrate Judge of this Court, hereby confirm in writing their consent to a United States Magistrate Judge conducting any and all further proceedings in the case, including trial, and ordering the entry of a final judgment.

Date

Signature

Counsel For (**print** name of all parties)

Address, City, State Zip Code

Telephone Number

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ROBINA JENKINS,

Plaintiff,

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in her official capacity as Secretary of
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HENRY MCMILLAN, individually and
in his official capacity as a member of the
State Personnel Board; JOHN
MCMILLAN, individually and in his
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POWELL, SR., individually and in his
official capacity as a member of the
State Personnel Board; and JOYCE P.
O'NEAL, individually and in her
official capacity as a member of the
State Personnel Board.

Defendants.

CIVIL ACTION NO. 2:05cv1049-C

REQUEST FOR REASSIGNMENT OF CASE TO A UNITED STATES DISTRICT JUDGE

The undersigned party hereby declines to consent to the Magistrate Judge's exercise of civil jurisdiction in this case. The undersigned party requests reassignment of this case to a United States District Judge.

Date

Signature

Counsel For (**print** name of all parties)

Address, City, State Zip Code

Telephone Number

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IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA

**EXPLANATION OF ASSIGNMENT TO
UNITED STATES MAGISTRATE JUDGE**

This civil case has been randomly assigned to a United States Magistrate Judge of this court. In accordance with 28 U.S.C. § 636(c), the Magistrate Judges of this court are designated to conduct any and all proceedings in a jury or nonjury civil case and order the entry of final judgment upon the consent of all parties to a case. Any appeal from a judgment entered by a Magistrate Judge is taken directly to the United States Court of Appeals for the Eleventh Circuit in the same manner as any appeal from any judgment entered in this court.

Any party to this lawsuit has the right to consent or decline consent to the jurisdiction of a Magistrate Judge. To exercise your right to consent you should complete the consent form and return it to the Clerk of the Court as indicated in the court's order.

Litigants, without concern for any adverse consequences, freely may decline consent to the jurisdiction of a Magistrate Judge. If you decline consent to the jurisdiction of a Magistrate Judge, this case will be reassigned randomly to a District Judge.